

REMARKS

In the Restriction Requirement mailed December 17, 2008, the claims of the above-identified patent application were restricted as follows:

Group I, claims 4-6 and 11-19, drawn to a composition of a biopesticide.

Group II, claims 7-10, drawn to a method of preparing a composition.

Applicants herein elects, without traverse, the claims of Group I (claims 4-6 and 11-19) for further prosecution at this time. Applicants reserve the right to file divisional applications on the unelected claims pursuant to 35 U.S.C. § 120 and § 121.

Species Election

The Examiner also imposed a species election requirement and requested that the Applicant select one particular adjuvant in the composition of biopesticide as recited in claims 4-6.

Applicant herein elects, without traverse, plant oil among the list of adjuvant disclosed at paragraph 30.

Applicant submits that Claims 4-6 and 11-19 encompass the elected species.

Filed: March 17, 2008

If the Examiner has any questions concerning this application, she is encouraged to contact the undersigned attorney.

Please charge any fees due with this response to Deposit Account 23-1665 under Customer Number 27267.

Respectfully submitted,

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